

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

CIGNA HEALTH AND LIFE)	
INSURANCE COMPANY,)	
)	
Plaintiff,)	Motion to Dismiss Defendant
)	HMC/CAH Consolidated, Inc.
vs.)	without Prejudice and to Dismiss
)	Remaining Defendants with
)	Prejudice
HMC/CAH CONSOLIDATED, INC.,)	
<i>et al.</i>)	Case No. 18-00183-CV-W-NKL
)	

MOTION TO DISMISS DEFENDANT HMC/CAH CONSOLIDATED,
INC. WITHOUT PREJUDICE AND TO DISMISS REMAINING
DEFENDANTS WITH PREJUDICE

Plaintiff Cigna Health and Life Insurance Company submits this Motion to Dismiss pursuant to the Court's January 22, 2019 Minute Entry [Dkt. 43] and states as follows:

1. Plaintiff moves to dismiss without prejudice defendant HMC/CAH Consolidated, Inc.
2. Without impacting the parties' settlement Plaintiff moves to dismiss with prejudice the remaining defendants: CAH Acquisition Company 6, LLC d/b/a I-70 Community Hospital, CAH Acquisition Company #3, LLC d/b/a Horton Community Hospital, CAH Acquisition Company #5 LLC d/b/a Hillsboro Community Hospital, CAH Acquisition Company #2, LLC d/b/a Oswego Community Hospital, CAH Acquisition Company 12, LLC d/b/a Fairfax Community Hospital, CAH Acquisition Company 16, LLC d/b/a Haskell County Community Hospital, CAH Acquisition Company #4, Inc. d/b/a Drumright Regional Hospital, CAH Acquisition Company 7, LLC d/b/a Prague Community Hospital, CAH Acquisition Company 11, LLC d/b/a Lauderdale Community Hospital, CAH Acquisition Company #1, LLC d/b/a Washington County Hospital, and Rural Community Hospitals of America, LLC d/b/a RCHA.

3. Plaintiff respectfully requests that this court retain jurisdiction to enforce the settlement agreement and that Plaintiff be permitted to reopen the case, if necessary, for the entry of the consent judgment agreed to by the parties.

Dated: January 28, 2019

Respectfully submitted,

STINSON LEONARD STREET LLP

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COMPANY*

CERTIFICATE OF SERVICE

I certify that the above was filed with the court utilizing the CM/ECF system on January 28, 2019, which sent notification to all registered attorneys of record.

/s/ Jere D. Sellers
Attorneys for Plaintiff
Cigna Health and Life Insurance Company